

## MEMORANDUM

To: Polson City – County Planning Board

From: Dave DeGrandpre, AICP, Land Solutions  
Joel Nelson, Land Solutions

Copy: Polson Development Code Update Committee  
Joyce Weaver and Thomas Fleming, Polson Building and Planning Department  
LaDana Hintz, Lake County Planning Department  
Mark Shrives, Polson City Manager  
Rich Gebhardt, Polson City Attorney

Date: August 18, 2014

**RE: Polson Development Code updates regarding Zoning District Map Changes**

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The next Planning Board workshop to discuss revisions to the Polson Development Code (PDC) will take place on Tuesday, August 26, 2014 at 6:00 p.m. in the City Council Chambers of Polson City Hall. The purpose of this meeting will be to discuss changes to the Polson City-County Planning Area zoning map.

To view the existing zoning map for the Polson City-County Planning Area, please go to:  
<http://www.lakemt.gov/planning/pdf/finalZoningaPortraitFormat.pdf>.

To view the zoning map that includes the proposed changes discussed below, please go to:  
[http://www.lakemt.gov/planning/pdf/06162014/Polson%20Zoning%206\\_10\\_14%20-%2011X17.pdf](http://www.lakemt.gov/planning/pdf/06162014/Polson%20Zoning%206_10_14%20-%2011X17.pdf)

This memo includes two parts: The first part will identify the changes proposed, and the second part will discuss the rationale behind each change.

### **Map Changes:**

The proposed changes to the zoning map are as follows:

- **Change #1:** In the area of the St. Joseph Medical Center, a new district, entitled the “Hospital Mixed Zoning District” (HMZD) is proposed in a portion of the current Medium Density Residential Zoning District (MRZD) and a very small portion of the Low Density Residential

Zoning District (LRZD). The general location is between 2<sup>nd</sup> Street West and 2<sup>nd</sup> Street East, and between 12<sup>th</sup> Avenue and 17<sup>th</sup> Avenue. Please see Figure 1 below.

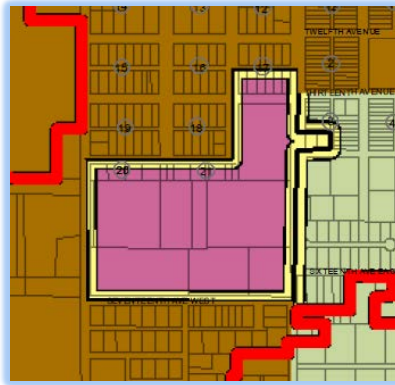


Figure 1: Proposed HMZD

- **Change #2:** MRZD is proposed to be expanded to the west of the southern portion of the city, where the current zoning is the Low Density Residential Zoning District (LRZD). This would extend MRZD to the area west of Polson High School and the Woodbine neighborhood and to the south of the sports complex, westward to Kerr Dam Road and just south of Grenier Lane to the Polson “C” irrigation canal. Please see Figure 2.

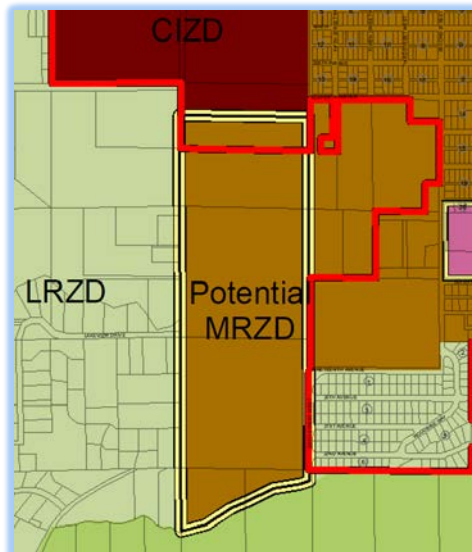


Figure 2: Proposed westward expansion of MRZD

- **Change #3:** Two areas of MRZD on the west and east sides of downtown are proposed to become a new district, entitled “Old Town Zoning District” (OTZD). Both areas are between 4<sup>th</sup> Avenue and 7<sup>th</sup> Avenue. Please see Figure 3.

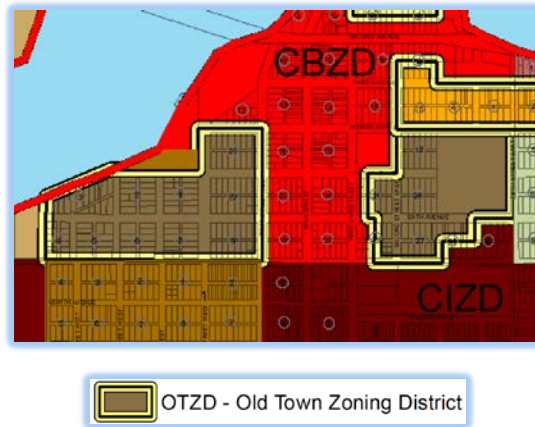


Figure 3: Proposed OTZD

- **Change #4:** The Transitional Zoning District (TZD) on Salish Point is proposed to be expanded to include more of that area north of US Highway 93. In addition, a new TZD area is proposed along the north side of 4<sup>th</sup> Avenue East, east of 2<sup>nd</sup> Street East and west of the Bayview Inn hotel. Please see Figure 4.

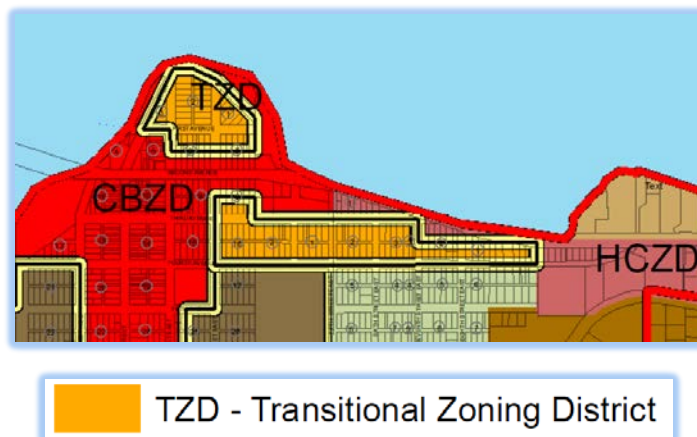


Figure 4: Proposed expanded and new TZD

- **Changes #5 & 6:** Two areas of the Highway Commercial Zoning District (HCZD) are proposed: One is intended to include Delaney's Landscape Center along the south side of MT Highway 35, which is currently zoned LRZD, and the other is intended to include Mission Valley Auto along the west side of US Highway 93, which is currently zoned Productive Lands Zoning District (PLZD). Please see Figures 5 & 6.

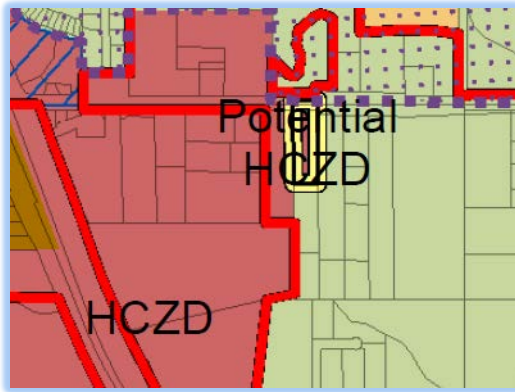


Figure 5: Delaney's Landscape Center

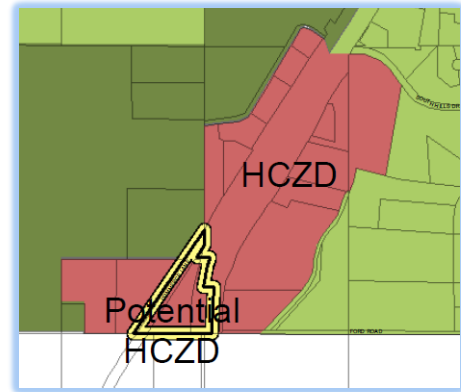


Figure 6: Mission Valley Auto

Figures 5 & 6 show proposed expansions of HCZD to include existing commercial uses in LRZD & PLZD

- **Change #7:** The area of Resort Zoning District (RZD) that currently encompasses Bear Harbor Condominiums is proposed to be expanded north to include an additional property that is currently zoned LRZD. Please see Figure 7.



Figure 7: Proposed expansion of RZD north of Bear Harbor Condos

- **Change #8:** A large area on the west side of the Polson City-County Planning Area northwest of Polson is proposed to be added to the Polson City-County Planning Area to be governed by the PDC. The area includes land on both sides of US Highway 93, and would add areas of HCZD, Commercial-Industrial Zoning District (CIZD), and Rural Residential Zoning District (RRZD). The area is currently zoned by the Lake County Density Map and Regulations. Please see Figure 8.

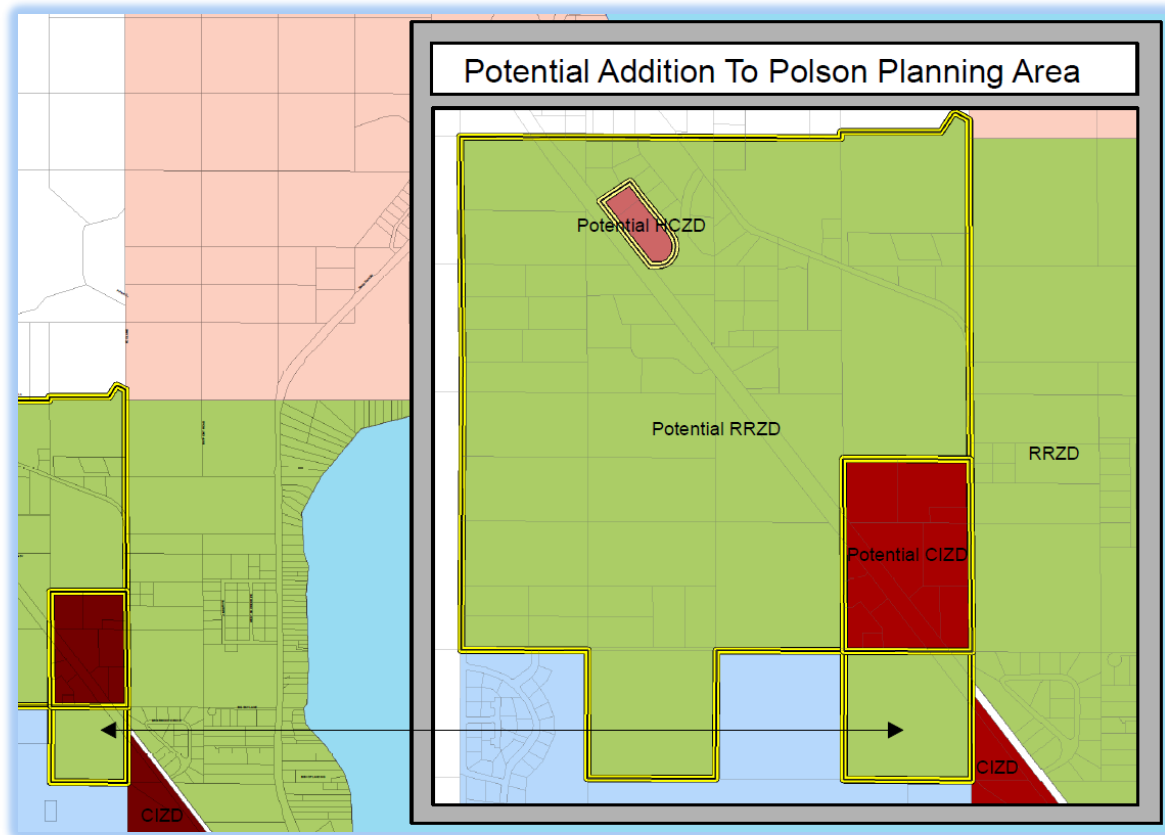


Figure 8: Proposed addition to the Polson City-County Planning Area NW of Polson

### **Rationale behind changes:**

The following are discussions about why these changes have been included on the proposed zoning map:

#### **Change #1: Creation of Hospital Mixed Zoning District (HMZD)**

Purpose of HMZD: *The Hospital Mixed Zoning District (HMZD) is intended to permit medical related services and mixed residential development.*

By creating a zoning district where medical related uses are permitted and special uses, the PDC will allow existing medical uses to expand and new medical uses and complimentary uses to become established. The area around the hospital is well established for these types of uses. In Section 9.0 of the Polson Growth Policy, including a hospital zoning district allowing small businesses and healthcare offices near the St. Joseph Medical Center is listed as an implementation strategy of the Growth Policy.

#### **Change #2: MRZD expanded to the west**

Purpose of MRZD: *The Medium Density Residential Zoning District (MRZD) is intended to permit the development of single-family, two-family and multiple-family dwellings with municipal services.*

The permitted and special uses and performance and specification standards for MRZD are more conducive to higher density residential development and multiple-family housing than other residential districts. By expanding the MRZD into this undeveloped area, the PDC will encourage more flexible residential development, which may in turn promote affordable housing options in the vicinity of Polson High School.

### **Change #3: Creation of Old Town Zoning District (OTZD)**

Purpose of OTZD: *The Old Town Zoning District (OTZD) is intended to permit the development of single-family, two family and multiple-family dwellings with municipal services in accordance with the City's historic development pattern.*

The draft updates to the PDC included changes to MRZD that would increase density and provide more flexible specification and performance standards to promote higher density residential development. As the PDC Update Committee worked through these proposed changes, there was some concern that the areas of MRZD close to downtown and north of 7<sup>th</sup> Avenue may lose some of the existing character if the proposed new standards were applied to them. Therefore, the OTZD is proposed with standards consistent with the existing PDC standards for MRZD.

### **Change #4: Proposed expanded and new TZD**

Purpose of TZD: *The Transitional Zoning District (TZD) is intended to provide for a well-planned transition from predominantly single-family residential to higher density residential, limited-scale commercial, and mixed uses in specific areas predominantly located near the central business district. Transitional developments must comply with performance standards designed to protect the remaining residences.*

In Section 9.0 of the Polson Growth Policy, revising Polson's zoning regulations to include additional TZDs is listed as an implementation strategy of the Growth Policy. The Salish Point expansion appears to be a prime location to locate the TZD, and much of the area along the north side of 4<sup>th</sup> Avenue East is currently developed and used similarly to what TZD allows.

### **Change #5: Inclusion of Delaney's Landscape Center into HCZD**

Early in the PDC update process, Land Solutions met with the Lake County Planning Department regarding potential map changes in Lake County's jurisdictional area. The County Planning staff identified this commercial use as a nonconforming use in LRZD that is adjacent to HCZD. By changing the zoning to HCZD, the zoning will better reflect the established land use and appears to be appropriate for its location.

### **Change #6: Inclusion of Mission Valley Auto into HCZD**

Similar to the proposed Delaney's change above, Mission Valley Auto was identified as a nonconforming commercial use, but in PLZD that is adjacent to HCZD. By changing the zoning to HCZD, the zoning will better reflect the established land use and appears to be appropriate for its location.

#### **Change #7: RZD expanded to north of Bear Harbor Condos**

*Purpose of RZD: The Resort Zoning District (RZD) is intended to permit mixed higher density residential and resort commercial development primarily along the Flathead Lake and Flathead River shoreline. Because the lakeshore and riverfront is so critical to the City's prosperity and quality of life, new uses in the RZD require a special use permit.*

The vast majority of lakefront lots in the city limits are already developed. This expansion of the RZD is adjacent to the city limits and is a logical expansion that includes one tract having development potential that could benefit from the RZD designation. North of this tract, lakefront lots are developed with a pattern of single-family lakefront homes, which are appropriately zoned LRZD.

#### **Change #8: Proposed addition to the Polson City-County Planning Area NW of Polson**

The City of Polson's and Lake County's cooperative relationship in applying the PDC in the Polson City-County Planning Area is relatively unique and is used as an example to other cities and counties across Montana. The Lake County jurisdictional area, or "donut", surrounding the city limits provides a great opportunity for Polson to work with Lake County to plan the expansion of Polson and apply similar standards and zoning processes to the surrounding area. The area north of Polson along US Highway 93 serves as a main "gateway" to Polson. By expanding the Planning Area in this direction, the City of Polson can better guide land uses in this gateway area and seek to protect the city's image at its north entrance.

On August 8, 2014, the Lake County Planning Department mailed the landowners in this area a letter explaining the potential expansion of the Polson Planning Area. Input from these landowners is crucial for the City-County Planning Board/Zoning Commission to accurately evaluate this proposed change before making a recommendation to the governing bodies.

The inclusion of the potential expanded area has benefits and drawbacks for the impacted landowners. The current zoning per the Lake County Density Map is more flexible in terms of allowed land uses, setbacks, and permitting requirements, but the allowed density on the southwest side of the highway is now generally limited to 5-acres per unit by the Density Map as opposed to 2-acres per unit density contemplated for RRZD by the draft PDC.